

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

BKY No. 09-50779

Dennis E. Hecker,

Debtor.

NOTICE OF HEARING AND MOTION FOR TURNOVER OF PROPERTY

TO: PARTIES SPECIFIED IN LOCAL RULE 9013-3.

1. Randall L. Seaver, the Chapter 7 Trustee herein, moves the Court for the relief request below and gives Notice of hearing herewith.

2. The Court will hold a hearing on this motion at 2:00 p.m. on June 16, 2010, in Courtroom 8 West, U.S. Bankruptcy Court, 300 South Fourth Street, Minneapolis, MN 55415.

3. Any response to this motion must be filed and served by delivery not later than June 11, 2010 which is five days before the time set for the hearing (including Saturdays, Sundays and holidays). UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.

4. This court has jurisdiction over this Motion under 28 U.S.C. §157 and §1334 and Bankruptcy Rule 5005. This Motion is filed under Local Rule 9013-2, this proceeding arises under 11 U.S.C. §§541(a)(4), 542(a) and Local Rule 6072-1.

5. The petition commencing this Chapter 7 case was filed on June 4, 2009. The case is now pending in this Court.

6. The Trustee has recently received information indicating that the Debtor owned at least two "Hummer" golf carts at the inception of this case. Those golf carts were not scheduled

and have not been turned over to the Trustee. The Debtor's attorney has indicated that the golf carts were "left" at Southview Chevrolet or one of his other dealerships. The Trustee seeks an order requiring the Debtor to turn two "Hummer" golf carts over to the Trustee within 7 days from the date of the hearing on this matter.

7. If required, the Trustee will testify at the hearing of this matter.

WHEREFORE, the Trustee requests an order of the Court requiring the Debtor to turn over to the Trustee two Hummer golf carts within seven (7) days from the hearing on this motion.

**LEONARD, O'BRIEN
SPENCER, GALE & SAYRE, LTD.**

/e/ Matthew R. Burton

Dated: May 28, 2010

By _____
Matthew R. Burton, #210018
Attorneys for Randall L. Seaver, Trustee
100 South Fifth Street, Suite 2500
Minneapolis, Minnesota 55402-1216
(612) 332-1030

VERIFICATION

I, Randall L. Seaver, Trustee for the Bankruptcy Estate of Dennis E. Hecker, named in the foregoing Notice of Hearing and Motion for Turnover of Property declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on May 28, 2010

/s/ Randall L. Seaver

Randall L. Seaver, Trustee

422694

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

BKY No. 09-50779

Dennis E. Hecker,

Chapter 7

Debtor.

UNSWORN CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2010, I caused the following documents:

Notice of Hearing and Motion for Turnover of Property and Order (proposed)

to be filed electronically with the Clerk of Court through ECF, and that the above documents will be delivered by automatic e-mail notification pursuant to ECF and this constitutes service or notice pursuant to Local Rule 9006-1(a).

I further certify that I caused a copy of the foregoing documents to be mailed by first-class mail, postage paid, to the following:

Dennis E. Hecker
1615 Northridge Drive
Medina, MN 55391

Michael W. Malter
Binder & Malter LLP
2775 Park Avenue
Santa Clara, CA 95050

Michael B. Lubic
Sonnenschein Nath & Rosenthal LLP
601 S Figueroa St Ste 2500
Los Angeles, CA 90017-5704

/e/ Stephanie Wood

Dated: May 28, 2010

Stephanie Wood
100 South Fifth Street, Suite 2500
Minneapolis, MN 55402
(612) 332-1030

**UNITED STATES BANKRUPTCY COURT
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ORDER

This case is before the court on the motion of Randall L. Seaver, Chapter 7 Trustee, for turnover of property of the estate.

Based upon the motion and the files,

IT IS ORDERED that the debtor is to turn over to the trustee two Hummer golf carts within seven (7) days from the hearing on this motion.

Dated: _____

United States Bankruptcy Judge

422693